

IN THE CLAIMS:

Please amend the claims in the following manner:

1-14 (Canceled)

15. (Previously presented) A recombinant host cell comprising a DNA segment encoding one or more antifungal polypeptides, wherein said polypeptide is selected from the group consisting of SEQ ID NO:2 and SEQ ID NO:14.

16. (Previously presented) The recombinant host cell of claim 34 further defined as a potato cell.

17. (Previously presented) A method of making an antifungal polypeptide, comprising the steps of:

- a) preparing a recombinant vector comprising a DNA segment encoding an antifungal polypeptide, wherein said polypeptide is selected from the group consisting of SEQ ID NO:2 and SEQ ID NO:14, and wherein said DNA segment is positioned under the control of a promoter that functions in a host cell;
- b) introducing said recombinant vector into a host cell;
- c) culturing said host cell to allow expression of the encoded antifungal polypeptide; and
- d) collecting said expressed antifungal polypeptide.

18-24. (Canceled)

25. (Currently amended) A transgenic plant having incorporated into its genome a transgene comprising a DNA molecule having a nucleotide sequence that encodes one or more antifungal polypeptides selected from the group consisting of SEQ ID NO:2 and SEQ ID NO:14, wherein

said nucleotide sequence is ~~{selected from the group consisting of a) the nucleotide sequence as set forth in SEQ ID NO:10 from position 92 through position 307, b) the nucleotide sequence as set forth in SEQ ID NO:10 from position 18 through position 507, c) the nucleotide sequence as set forth in SEQ ID NO:13 from position 105 to position 242, and d) the nucleotide sequence which encodes the same peptide as that encoded by the nucleotide sequence of a), b), or c)}~~
expressed in said plant.

26. (Canceled)

27. (Canceled)

28. (Previously presented) Progeny of the plant of claim 25, wherein said progeny comprises said DNA molecule.

29. (Previously presented) Seed or progeny from the plant of claim 25, wherein said seed comprises said DNA molecule.

30-32. (Cancelled)

33. (Previously presented) A method of controlling a plant fungus, said method comprising transforming a plant with a vector comprising a DNA encoding an antifungal polypeptide having the amino acid sequence of SEQ ID NO: 2 or SEQ ID NO:14, and allowing expression of said antifungal polypeptide, wherein said antifungal polypeptide is expressed in said plant.

34. (Currently amended) The recombinant host cell of claim 15 further defined as a plant cell, said plant cell being from a ~~[member]~~ plant selected from the group consisting of apple, alfalfa, barley, broccoli, cabbage, canola, carrot, citrus, corn, cotton, garlic, oat, onion, pea, peanut, pepper, potato, rice, rye, sorghum, soybean, strawberry, sugarbeet, sugarcane, tomato, turf grasses, and wheat.



Serial No.: 10/010,731
Confirmation No.: 4312
Applicant: Jihong Liang et al.
Atty. Ref.: 11899.0193.DVUS02

35. (New) A transgenic plant of claim 25, wherein said nucleotide sequence comprises a sequence that encodes the polypeptide as set forth in SEQ ID NO:15.

36. (New) A transgenic plant of claim 35, wherein said nucleotide sequence is selected from one or more of the group consisting of a) the portion of the nucleotide sequence as set forth in SEQ ID NO:10 that encodes the polypeptide as set forth in SEQ ID NO:15; b) the nucleotide sequence as set forth in SEQ ID NO:13 from position 105 to position 242.